



Brett Kilbourne
Vice President and Deputy General Counsel
Direct Line: 202.833.6807
E-mail: brett.kilbourne@utc.org

May 3, 2012

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 - 12th Street, S.W.
Washington, D.C. 20554

Ex Parte

Re: Notice of Ex Parte Presentation -- In the Matter of Progeny LMS, LLC Petition for Waiver of the Rules and Request for Expedited Treatment, WT Docket No. 11-49.

Dear Ms. Dortch:

On May 2, 2012, Brett Kilbourne on behalf of the Utilities Telecom Council (UTC) met with Julius Knapp, Chief of the Office of Engineering and Technology, to discuss matters related to the above-referenced proceeding.

During the meeting, UTC explained that utilities and other critical infrastructure industries (CII) use the 902-928 MHz band for advanced metering and other applications. UTC explained that the potential for interference to utility operations from Progeny's proposed service must be fully assessed through joint testing of the service in a typical installation, which has not occurred. Therefore, the Commission should refrain from any further action, pending the outcome of such joint testing by the interested parties.

If you have any questions, please do not hesitate to contact the undersigned.

Respectfully,

Brett Kilbourne

cc:
Julius Knapp